

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of M.D.Q., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

KATHLEEN CHILDERS EVERETT,

Respondent-Appellant,

and

JAMES QUICK,

Respondent.

In the Matter of M.D.Q., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

JAMES QUICK,

Respondent-Appellant,

and

KATHLEEN CHILDERS EVERETT,

Respondent.

Before: Smolenski, P.J., and Wilder and Schuette, JJ.

UNPUBLISHED

January 24, 2003

No. 240627

Wayne Circuit Court

Family Division

LC No. 00-392673

No. 240897

Wayne Circuit Court

Family Division

LC No. 00-392673

MEMORANDUM.

In these consolidated appeals, respondents appeal as of right from the trial court order terminating their parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm. These appeals are being decided without oral argument. MCR 7.214(E).

In Docket No. 240627, the trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999). The evidence showed that respondent mother had a chronic mental illness, continued to abuse crack cocaine, continued to display inappropriate parenting during supervised parenting time, and remained in an abusive relationship with the child's father. Further, the evidence did not show that termination of respondent mother's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356; 612 NW2d 407 (2000). The child had been in foster care all but three weeks of her young life and respondent mother made virtually no progress in rectifying the serious issues that brought the child into care. Thus, the trial court did not err in terminating respondent mother's parental rights to the child.

In Docket No. 240897, the trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I); *In re Sours, supra* at 633. The evidence established that respondent father had a chronic mental illness, continued to abuse drugs, did not address his domestic violence issues, and displayed inappropriate parenting during supervised parenting time. With respect to the best interests issue, respondent father's argument that the trial court should be reversed because it failed to find that termination of parental rights was in the child's best interests is without merit. The statute does not require that the trial court affirmatively find that termination is in the child's best interests. *In re Trejo, supra* at 357. The statute only provides that if grounds for termination are found by the court, parental rights may be terminated, unless the court finds that termination is clearly not in the child's best interests. MCL 712A.19b(5). In this case, the evidence did not show that termination of respondent father's parental rights was clearly not in the child's best interests. MCL 712A.19b(5); *In re Trejo, supra* at 356. Thus, the trial court did not err in terminating respondent father's parental rights to the child.

Affirmed.

/s/ Michael R. Smolenski

/s/ Kurtis T. Wilder

/s/ Bill Schuette